

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE: INTERCONTINENTAL  
TERMINALS COMPANY LLC  
DEER PARK FIRE LITIGATION

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Lead Case No. 4:19-cv-01460

MASTER SHORT FORM  
COMPLAINT AND  
JURY TRIAL DEMAND

This Document Relates to:

Rosalba Rodriguez; Jesus Nevarez; et al.  
Plaintiffs,

Civil Action No.: 4:22-cv-02489

V.

Intercontinental Terminals Company, LLC,  
NSK Ltd. and NSK Corporation  
Defendants

**PERSONAL INJURY PLAINTIFFS' MASTER  
SHORT FORM COMPLAINT AND JURY TRIAL DEMAND**

Plaintiff(s) incorporate(s) by reference the First Amended Master Long Form Complaint and Jury Trial Demand filed in *In re: Intercontinental Terminals Company, LLC Deer Park Fire Litigation*, on March 12, 2021. Pursuant to the Court's January 15, 2021 Order, Doc. 478, this Short Form Complaint adopts the allegation, claims and requested relief as set forth in the Master Long Form Complaint.

## **I. DEFENDANTS.**

Plaintiff(s) name(s) the following Defendants in this action:

X Intercontinental Terminals Company, LLC

X                      NSK Ltd.

X      NSK Corporation

**I. PLAINTIFFS.**

Name of Plaintiff(s):

- |                             |                               |   |
|-----------------------------|-------------------------------|---|
| 1. Rosalba Rodriguez        | 36. Felix A. Toledo-Rodriguez | 71. Moises Castro   |
| 2. Jesus Nevarez            | 37. Freddy Torres             | 72. Ahsaki Chachere   |
| 3. Adrian Garcia Perez      | 38. Sabina Hernandez Azua     | 73. Amariah Chachere  |
| 4. Esteban Orozco           | 39. Felix Reyes-Hernandez     | 74. Johnny Walker Jr.   |
| 5. Ricardo Aragon           | 40. Alain Cordovez Saavedra   | 75. Carrie Delane   |
| 6. Juan Araiza              | 41. Guillermo Esquivel Wisar  | 76. Cipriano Olvera   |
| 7. Esteban Arzu             | 42. Jonathan Fuentes          | 77. Damion Doleman Jr.  |
| 8. Pablo E. Barron          | 43. Esther Garza Palomino     | 78. LeMarcus Lester   |
| 9. Angelica M. Chlamon      | 44. Marco A. Gonzalez Torres  | 79. Jermaine Doleman  |
| 10. Juan D. Delgado         | 45. Rolando Gutierrez         | 80. Ruth Tabarez  |
| 11. Amado Fernandez         | 46. Gerardo A. Jaquez         | 81. Jaleahi D. White  |
| 12. Jorge L. Garcia Marquez | 47. Carlos Romano             | 82. Simone Williams   |
| 13. Cristino Garcia         | 48. Julio Guity               | 83. Karen Johnson   |
| 14. Danilo Gonzalez         | 49. Angelina Hernandez        | 84. Katherine Owens   |
| 15. Francisco Gonzalez      | 50. Pedro Martinez            | 85. LaSondra Jones  |
| 16. Adrian Guzman           | 51. Damian Mejia              | 86. Kayla Jefferson   |
| 17. Josue M. Guzman         | 52. Jose F. Rodriguez         | 87. Kayla Jefferson Individually and a/n/f of Jordan Jefferson-Aycock |
| 18. Luis A. Lopez           | 53. Pedro Salazar             | 88. Julencia Jefferson  |
| 19. Justo Loreto            | 54. Oliver Salinas            | 89. Julencia Jefferson Individually and a/n/f of Kei'mora Harris      |

20. Juan Mendoza	55. Rodil Suazo	90. Julencia JeffersonIndividually and a/n/f of J'andra Coleman
21. Rogelio Mendoza	56. Allen D. Hammon	91. Julencia JeffersonIndividually and a/n/f of Jaquaz Conner
22. Cecilio Miranda	57. Robert E. Johnson	92. William Spalek
23. Mario Nunez	58. Hilda Brockett	93. Desiree Spalek
24. David A. Ozuna	59. Johnny Bruce	94. Robert Spalek
25. Gabino Perez Ortiz	60. Kimberly Sims	95. Charles Rosemond
26. Leonardo Perez Perez	61. Kimberly Sims Individually and a/n/f of Leonard Gamble	96. Cheryl Lee
27. Saul B. Perez	62. T.D. Blackshure Sr.	97. Belinda Young
28. Nahim Ramirez	63. Karl Johnson	98. Charles E. Williams
29. Pascual Reynua	64. Dennis Chachere	99. Ethel Nelson
30. Javier Arroyo Rodriguez	65. Mario Y. Ochoa	100. Nicolas Rodriguez
31. Ivan Rodriguez	66. Mario Y. Ochoa Individually and a/n/f of Castiel Winchester	101. Jose Rodriguez
32. Julio C. Rodriguez	67. Edgar Hinojosa	102. Breanna Fortney
33. Jose Sanchez	68. Maria Bognot-Ghirawoo	103. Amy Johnson
34. Felix Solorio Rios	69. Maria Bognot-Ghirawoo Individually and a/n/f of Cornelius Bognot	104. Kalen Bernhardt
35. Candido R. Baltazar	70. Maria Bognot-Ghirawoo Individually and a/n/f of Leighanna Bognot	

## **II. INJURIES.**

Plaintiff(s) alleges the following injuries as a result of the March 17, 2019 and subsequent reignitions of the fire at ITC's Deer Park Facility.

- a. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff(s) for the necessary care and treatment of the injuries resulting from the accident complained of herein and such charges are reasonable and were usual and customary charges for such service in Harris County, Texas;
- b. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
- c. Physical pain and suffering in the past and future;
- d. Physical impairment in the past and future;
- e. Loss of earnings in the past and future;
- f. Disfigurement in the past and future;
- g. The cost of future medical monitoring; and/ or
- h. Mental anguish in the past and future.

## **III. CAUSES OF ACTION.**

Plaintiff(s) adopt(s) in this Short Form Complaint the following claims asserted in the Master Long Form Complaint and Jury Trial Demand, and the allegations with regard thereto as set forth in the Master Long Form Complaint and Jury Trial Demand:

- X             **Count I** – Negligence and Gross Negligence (ITC)
- X             **Count II.A** – Products Liability – Manufacturing Defect (NSK Defendants)
- X             **Count II.B** – Products Liability – Design Defect (NSK Defendants)

**WHEREFORE**, Plaintiff(s) pray(s) for relief and judgment against Defendants and all such further relief that this Court deems equitable and just as set forth in the Master Long Form Complaint and Jury Demand and any additional relief to which Plaintiff(s) may be entitled.

Dated: July 27, 2022

By: /s/ David W. Hodges  
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